

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:23-cr-00068-MR-WCM

UNITED STATES OF AMERICA)
)
v.)
)
THOMAS TRACY WHISNANT,)
)
Defendant.)
_____)

ORDER

This matter came before the Court on June 17, 2024 for a hearing on the remaining portions of Defendant’s “Motion for an Expedited Competency Hearing, an Order Finding Mr. Whisnant Incompetent and Committing Him to the Custody of the Attorney General, and an Order Directing the Attorney General to Expedite Mr. Whisnant’s Placement in a Restoration Facility” (Docs. 13, 15), including a competency hearing pursuant to 18 U.S.C. § 4241(d). Deputy Criminal Chief Don Gast appeared for the Government. Assistant Federal Public Defender Mary Ellen Coleman appeared with Defendant.

During the hearing, Ms. Coleman provided additional information concerning Defendant, particularly that Defendant had been transferred to a different detention center, that he had been taking his medication voluntarily, and that his mental status had improved significantly.

Following discussions with the parties, and at the request of defense counsel and without objection by the Government, the Court declined to issue

an immediate ruling with regard to Defendant's competency and, instead, continued the competency hearing and the hearing on Defendant's Motion so that additional information concerning Defendant's mental status could be obtained.

IT IS THEREFORE ORDERED THAT these hearings are **CONTINUED** to August 2, 2024.

Signed: June 18, 2024

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

